

Case No. _____

This order sets forth requirements for initial case management in all civil matters assigned to Judge James Ware, Judge Ronald M. Whyte and Judge Jeremy Fogel.

All disclosure or discovery disputes are referred to the assigned Magistrate Judge for determination pursuant to Fed.R.Civ.P. 72(a).

Before selecting a hearing date for a motion before any of the district judges of the San Jose Division, counsel shall confer with opposing counsel to determine that the proposed hearing date will not cause undue prejudice.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Ware may be noticed for hearing on any Monday at 9:00 a.m.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Whyte may be noticed for hearing on any Friday at 9:00 a.m.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Fogel may be noticed for hearing only after contacting Judge Fogel's judicial secretary, Teresa Fleishman, at (408) 535-5426 and obtaining an available date.

Pursuant to Fed.R.Civ.P. 16 and 26 and Civil L.R. 16-14(a), a Case Management Conference will be held on _____ at _____, at the United States Courthouse, 280 South First Street, San Jose, California. This conference may be continued only by Court order pursuant to Civil L.R. 16-2(f). Parties may not stipulate to continue a Case Management Conference without Court approval.

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3 Pursuant to Civil L.R. 16-4, in advance of the Case Management Conference, counsel shall confer
4 with their respective clients and opposing counsel for the purposes specified in Fed.R.Civ.P. 26(f) and Civil
5 L.R. 16-5, 16-6 through 16-8 (patent cases only), 16-12 and 16-13. A meaningful meet and confer
6 process prior to the Case Management Conference and good faith compliance with the requirements of
7 this Order are essential elements of effective case management. Failure to meet and confer, to be prepared
8 for the Case Management Conference or to file a Joint Case Management Conference statement may result
9 in sanctions. Parties may but are not required to attend the Case Management Conference.
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12 IT IS SO ORDERED.

13 Dated: Effective June 1, 1998, until further Court order.
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James Ware
United States District Judge
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Ronald M. Whyte
United States District Judge
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Jeremy Fogel
United States District Judge
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